

CUSTOMER NO.: 24498  
Ser. No.10/522,270  
Date of Office Action: 01/11/08  
Response dated: 04/09/08

PATENT  
PA020014

### Remarks/Arguments

Claims 1 - 10 are pending.

The independent claims have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention. No new matter is believed to be added by the present amendment.

#### Rejection of claims 1-10 under 35 USC 103(a) as being unpatentable over Van Ryzin (US 6,446,080) in view of Shrader (US Pub. No. 2003/0023975) and Chen (US Pub. No. 2004/0148419)

The present principles relates to a method and an apparatus wherein a user introduces a first action for determining a track to be considered and then the user (who can be the same people) introduces a second action for "removing, if existing, the last occurrence of the track to be considered in the play list displayed in the second area." In that regard, claim 1 recites:

"displaying in a first area of a screen a representation of at least part of available tracks ... displaying in a second area of the screen at least part of the current play list ... removing, if existing, the last occurrence of the track to be considered in the play list displayed in the second area, step triggering after a second action introduced by a user (emphasis added)".

Applicants submit that at least the above-identified limitations of the pending claims are not disclosed nor suggested by the cited prior art.

Van Ryzin discloses a digital audio/visual actuator device displaying play lists. The play lists are created by an external device, for example a PC, and downloaded in the actuator device, for example a CD player. The user can modify the displayed play list by adding or cancelling a document. See column 3 line 6 to 12 which states:

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*"Once the play list is created, it may then be easily modified if so desired at any future time by performing such functions as adding tracks, deleting tracks, and rearranging tracks of the play list through the external device. Again, these functions may be performed by the user through the interface of the external device or by software resident on the digital audio/visual actuator device."*

Figure 9 shows the menu allowing the creation of play list at the level of the external device, i.e the PC. Van Ryzin discloses on column 6 line 32:

*"FIG. 9 provides an example of what the GUI on a PC might look like; in FIG. 9, on the right side of the screen, the icon for selecting the play list function is clearly shown. Tracks are easily identified by their track index in the TOC of a CD, a database containing the number of tracks and length of each track on the CD. The reader is referred again to FIG. 2 which shows a GUI example of a TOC of a music CD, by way of example. Using the TOC and track index, it is possible to place a certain track of a CD in any position of the custom play list being created".*

Therefore, the available tracks and the tracks selected for the play list are not displayed together. When the play list is created, it is downloaded to the actuator, i.e. the CD player, where it will be used. Therefore, the list of available tracks is displayed on the screen of the external device, and the created play list could be displayed on a screen of the actuator. There are no reasons to display "in a first area of a screen a representation of at least part of available tracks," and "to display in a second area of the screen at least part of the current play list" as recited in the present claims.

Schrader discloses an enhanced television navigation service that supplies broadcast television music programming, digital audio and related content. The related content is linked with the broadcast programming and is presented to the user with a menu. The information concerning music audio and video programs that is broadcast or will be broadcast is received by a client system and displayed (see figure 9 for example). Then, the user can introduce a command for launching a filter – see paragraph 0105 which states:

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*"...The filters are selected with the use of various buttons, such as a "Music Favorites" button 1314 that provides future listings for programs that have been previously identified by the user. A "Music on TV" button 1316 may be selected to filter the future program listing to future music television programs. In the illustrated embodiment, when the button 1316 is selected, a listing is presented as a scrollable menu 1318 that is displayed opposite the navigation guide area 1310. ...[0106] Other filters are used to present the future content in a user manageable format as well. These include a "Sort by Date" button 1322 and a "Sort by Artist" button 1324. In addition, the future content may be sorted by genre view...."*

Therefore, the menu displays only one list that can be amended by the user by cancelling certain category of the document. In figure 10, the window referenced 1020 displays information relative to the selected document. This single document is not a "play list" therefore the window 1020 does not teach "displaying in a second area at least part of the current play list". Applicants submit that the menus of the figures 8 to 13 do not disclose:

" - displaying in a first area of a screen a representation of at least part of available tracks," and

" - displaying in a second area of the screen at least part of the current play list" as recited in the present claims.

Moreover, the user interface disclosed by Schrader does not teach that a specific document can be removed by an action introduced by the user. Finally, Schrader does not teach or suggest "removing, if existing, of the last occurrence of the track to be considered in the play list displayed in the second area."

Chen discloses an apparatus for providing entertainment functions to multiple users. A computer receives audio data, and process the audio data for subsequent transmission as a streaming audio data to a second device. The second device outputs the streaming audio data as an entertainment function for a second user.

Chen does not discloses menus "displaying in a first area of a screen a representation of at least part of available tracks," and "displaying in a second area of the screen at least part of the current play list" as recited in the present claims.

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Moreover, Chen does not disclose nor suggest any user interface displaying document and where a selected document can be removed by an action introduced by the user.

In the Office Action the Examiner cites the paragraph 129, which states:

*"Alternatively or additionally, a second user 2080 can input a command(s) 2085 (hereinafter "input command 2085") in an input module 2058 in the variable function device 110a. The input command 2085 is then processed by a processor 2020 to generate a signal(s) 2095 (hereinafter "signal 2095") which is then transmitted across the link 115. In response to a particular transmitted signal 2095, the processor 125 can retrieve a data 2010 in the play list 2052 and can process the data for output via I/O interface 120 or via transceiver 2025 across the link 115 to the variable function device 110a. Depending on the type of command 2053 or command 2085, the processor 125 can retrieve at least a particular one of the MP-3 files 2010a, Internet radio broadcast data 2010b, and/or other data 2010c for transmission across the link 115 to the variable function device 110a. The variable function device 110a is configured to permit the second user 2080 to enable the computer 105a to perform various desired functions that were described above. Thus, the second user 2080 is not required to use the input device(s) 2075 in order to permit the computer 105a to perform particular functions such as the streaming of data 2010, data collection 2087, or other data from the computer 105a to the variable function device 110a for output as a signal 2040 that can be perceived by the second user 2080 (and/or by the first user 2060).*

This paragraph does not teach nor suggest the feature "removing, if existing, of the last occurrence of the track to be considered in the play list displayed in the second area." as recited in the present claims.

Applicants submit that for at least the reasons discussed above the suggested combination of prior art references fail to disclose or suggest each and every feature recited in the independent claims 1, 4, 7 and 10, and as such, these claims, and the claims that depend therefrom, are not anticipated by Van Ryzin, Shrader and Chen taken alone or in combination.

Claims 2, 3, 5, 6, 8, 9 ultimately depend from one of claims 1, 4, 7 or 10, and are believed to be allowable at least by virtue of their dependence on an allowable base claim and because each has further distinguishing features.

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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

It is believed that there is no fee due with regard to the filing of this response. However if there is a fee, please charge the fee, or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,  
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